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8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
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11 FRISCHER LLC,

12 Plaintiff,

13 v.

14 KESHAUN WITHERSPOON, et al.,

15 Defendants.
16

Case No. CV 18-5606 FMO (SSx)

**ORDER SUMMARILY REMANDING
IMPROPERLY-REMOVED ACTION**

17 The Court will remand this unlawful detainer action to state
18 court summarily because Defendants removed it improperly.
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20 On June 25, 2018, Defendant Keshawn Witherspoon, having been
21 sued in what appears to be a routine unlawful detainer action in
22 California state court, filed a Notice of Removal of that action
23 to this Court and presented an application to proceed in forma
24 pauperis. The Court has denied the IFP application under
25 separate cover because the action was not properly removed. To
26 prevent the action from remaining in jurisdictional limbo, the
27 Court issues this Order to remand the action to state court.
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1 Simply stated, this action could not have been originally
2 filed in federal court because the complaint does not competently
3 allege facts supporting either diversity or federal-question
4 jurisdiction, and therefore removal is improper. 28 U.S.C.
5 § 1441(a); see Exxon Mobil Corp. v. Allapattah Svcs., Inc., 545
6 U.S. 546, 563 (2005).

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8 Accordingly, IT IS ORDERED that (1) this matter be REMANDED
9 to the Superior Court of California, County of Los Angeles,
10 Governor George Deukmejian Courthouse, 275 Magnolia Avenue, Long
11 Beach, California 90802, for lack of subject matter jurisdiction
12 pursuant to 28 U.S.C. § 1447(c); (2) the Clerk send a certified
13 copy of this Order to the state court; and (3) the Clerk serve
14 copies of this Order on the parties.

15 IT IS SO ORDERED.

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18 DATED: July 3, 2018

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FERNANDO M. OLGUIN
UNITED STATES DISTRICT JUDGE